

FILED

FEB 05 2016

Clerk, U.S. District Court
District Of Montana
Helena

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION**

WONDER RANCH, LLC,

Plaintiff,

vs.

UNITED STATES OF AMERICA,
U.S. DEPARTMENT OF
AGRICULTURE, acting through the
U.S. Forest Service, and Melany
Glossa, in her capacity as Supervisor
of the Beaverhead-Deerlodge National
Forest,

Defendants.

No. CV 14-57-BU-SEH

ORDER

Upon the record made in open court on February 4, 2016:

ORDERED:

1. Wonder Ranch, LLC's Rule 56 Motion for Partial Summary

Judgment on Its Quiet Title Claim¹ was DENIED.

¹ Doc. 37.

2. Wonder Ranch, LLC's Rule 56 Motion for Partial Summary Judgment on Defendants' Counterclaims² was DENIED.

3. Wonder Ranch, LLC's Rule 56 Motion for Partial Summary Judgment on the Forest Service's Prescriptive Easement Counterclaim³ was DENIED.

4. Defendants' Motion for Summary Judgment⁴ was DENIED.

5. Defendants' Motion to Dismiss,⁵ treated for disposition as a motion for summary judgment, was DENIED.

6. Defendants' Motion to Exclude the Report and Testimony of Daniel Gallacher⁶ was DENIED.

7. Defendants' Motion to Exclude the Report and Testimony of Kenneth Jenkins⁷ was DENIED.

² Doc. 38.

³ Doc. 83.

⁴ Doc. 78.

⁵ Doc. 44.

⁶ Doc. 88.

⁷ Doc. 90.

8. Wonder Ranch, LLC's Motions *in Limine* Nos. 1-3:⁸

- a. Motion *in Limine* No. 1 was DENIED.
- b. Motion *in Limine* No. 2 was DENIED.
- c. Motion *in Limine* No. 3 was WITHDRAWN.

DATED this 5th day of February, 2016.

A handwritten signature in black ink, reading "Sam E. Haddon", written over a horizontal line.

SAM E. HADDON

United States District Judge

⁸ Doc. 81.